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Attorney for Defendant  
KYLE TRAVIS COLTON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 2:24-cr-00029-DAD
	)	
Plaintiff,	)	
	)	STIPULATION AND ORDER TO CONTINUE
vs.	)	STATUS CONFERENCE
	)	
KYLE TRAVIS COLTON,	)	
	)	Date: July 16, 2024
Defendant.	)	Time: 9:30 a.m.
	)	Judge: Dale A. Drozd

IT IS HEREBY STIPULATED by and between Phillip A. Talbert, United States Attorney, through Assistant United States Attorney Whitnee Goins, attorney for Plaintiff and Federal Defender Heather E. Williams through Assistant Federal Defender Douglas Beevers, attorney for Kyle Travis Colton that the status conference, currently scheduled for July 16, 2024, be continued to September 24, 2024 at 9:30 a.m.

Defense counsel requests the following briefing schedule for a motion to suppress. The parties believe a continuance to September 24 2024 will permit defense counsel the additional time necessary to conduct pretrial investigation, identify and interview witnesses, obtain pertinent records, and finalize any further pre-plea negotiations.

Defendant's Motion to Suppress shall be filed July 24, 2024. The government's response shall be filed September 6, 2024. Defendant's Reply shall be filed September 13, 2024. The hearing on the Motion to Suppress shall be heard on September 24, 2024.

1 Counsel for defendant believes that failure to grant the above-requested continuance  
2 would deny counsel the reasonable time necessary for effective preparation, taking into account  
3 the exercise of due diligence, as well as continuity of counsel.

4 Based upon the foregoing, the parties agree time under the Speedy Trial Act should be  
5 excluded of this order's date through and including September 24, 2024; pursuant to 18 U.S.C.  
6 §3161 (h)(7)(A)and (B)(iv) and General Order 479, Local Code T4 based upon continuity of  
7 counsel and defense preparation and continuity of counsel.

8 Counsel and the defendant also agree that the ends of justice served by the Court granting  
9 this continuance outweigh the best interests of the public and the defendant in a speedy trial.

10 Respectfully submitted,

11 Dated: July 11, 2024

HEATHER E. WILLIAMS  
Federal Defender

13 /s/ Douglas Beevers  
DOUGLAS BEEVERS  
14 Assistant Federal Defender  
Attorney for Defendant  
15 KYLE TRAVIS COLTON

16 Dated: July 11, 2024

PHILLIP A. TALBERT  
United States Attorney

18 /s/ Whitnee Goins  
WHITNEE GOINS  
19 Assistant U.S. Attorney  
Attorney for Plaintiff  
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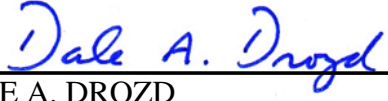
**ORDER**

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, as well as continuity of counsel. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date the parties stipulated, up to and including September 24, 2024, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and General Order 479, (Local Code T4). It is further ordered the July 16, 2024 status conference shall be continued until September 24, 2024, at 9:30 a.m. The hearing on the motion scheduled in this order will be a non-evidentiary hearing. If an evidentiary hearing is requested, the party making that request is to be prepared to argue in support of that request at the hearing and, if appropriate, an evidentiary hearing will be scheduled for a later date.

IT IS SO ORDERED.

Dated: July 12, 2024

  
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DALE A. DROZD  
UNITED STATES DISTRICT JUDGE